

EXHIBIT 4

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION IN ADMIRALTY

TIFFANY N. PROVENCE, AS THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF JUAN
ANTONIO VILLALOBOS HERNANDEZ,

Plaintiff,

vs. CASE No. 2:21-cv-965-RMG5

UNITED STATES OF AMERICA, CROWLEY
MARITIME CORPORATION, CROWLEY GOVERNMENT
SERVICES, INC., DETYENS SHIPYARD, INC.
AND HIGHTRAK STAFFING, INC. D/B/A HITRAK
STAFFING, INC.,

Defendants.

CONFIDENTIAL TRANSCRIPT SUBJECT TO ORDER

DEPOSITION OF: KENNETH W. FISHER, PH.D.
(Appearing by VTC)
DATE: June 10, 2022
TIME: 10:03 a.m.
LOCATION: Boston, MA
TAKEN BY: Counsel for the Defendants
REPORTED BY: Susan M. Valsecchi, Registered
Professional Reporter, CRR
(Appearing by VTC)

1 probably restrain it.

2 Q. Okay. In other words, a little bit of
3 slack might come out of the fall, a couple feet,
4 but then the wire ropes would restrain the boat; is
5 that right?

6 A. I believe that's the expectation.

7 Q. And in that sense, would you agree with
8 me that, while the boats are in operational
9 condition, there are two methods of restraint?

10 A. No.

11 Q. Okay. What would the falls be
12 considered, in your opinion, if they're not a
13 method of restraint?

14 A. They're used to lower the lifeboat.
15 These stopper bars, they work. They work. They're
16 adequate. They're a hundred percent. That's
17 why --

18 Q. Okay, very good.

19 A. That's why the launching requirements,
20 say you've got -- you know, they've got all of
21 these procedures that have to be followed to launch
22 a lifeboat. One of them is to tighten up the fall
23 and then release the stopper bar. So, you know, it
24 works.

25 Q. You would agree with me, then, that the

1 stopper bars are 100 percent effective in
2 preventing the davit arms from being deployed?

3 A. Yes, but I'm also worrying about what
4 is the one hundred percent means effective of
5 making sure there's no errant electrical currents?

6 Q. Well, Dr. Fisher, you have, during your
7 deposition, used the term 100 percent effective on
8 numerous occasions, and I think I understand you to
9 be saying the stopper bars would be 100 percent
10 effective, and your earlier testimony was that the
11 single method of restraint used by Detyens shipyard
12 was also 100 percent effective; is that correct?

13 A. Yes.

14 Q. So there's two different methods that
15 are both 100 percent effective in your opinion,
16 correct?

17 A. When you're either in repair or you're
18 in operation, you use a different method in
19 different circumstances.

20 Q. And because both methods are
21 100 percent effective, do I understand your opinion
22 to be that only one of them is necessary to prevent
23 davit arms from rolling down the trackway?

24 A. Right, in the different situations.
25 When the ship is being repaired, the stopper bars